IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 14448 of 2005

Between:

Addepalli Musalayya S/o.Jogulu
R/o.Rajavommang (V) and Mandal E.G.District.

..... PETITIONER

AND

1 The Addl.Agent to Government East Godavari District, ampachodavaram and Project
Officer, I.T D.A Rampachodavaram E.G.District.
2 The Special Deputy Collector (Tribal Welfare) Ramachodavaram, E.G.District
3 The Special Deputy Tahsildar, Tribal Welfare Rajavommangi, Rajavommangi Mandal, E.G.District.
4 The Mandal Revenue Officer, Rajavommangi Mandal, Rajavommangi
E.G.District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to a writ, order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ, declaring as illegal, arbitrary and violation of Art.21 of the Constitution of India and the action of the 1st respondent in not granting stay of the orders of the 2nd respondent in LTRP No.262 of 2004 dt.28.12.2004 in spite of the Statutory appeal filed by the petitioner i.e. CMA No.97 of 2005 dt.21.4.2005 and it s further consequentially prayed that this Hon'ble Court may be pleased to suspend the operation of the order in LTRP No.262 of 2004 dt.29.12.2004 on the file of the 2nd respondent pending disposal of the CMA No.97 of 2005 dt.21.4.2005 on the file of the 1st respondent and pass such other or further order as this Hon’ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.S.R.SANKU

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court made the following :

ORDER:

This writ petition is filed by the petitioner aggrieved by the inaction of the first respondent in passing stay orders, pending disposal of the appeal filed against the order of the second respondent.

According to the petitioner, the second respondent initiated proceedings under LTRP No.262 of 2004 and after conducting the enquiry, passed orders of ejectment against the petitioner in respect of the schedule mentioned land specified therein. Aggrieved by that, the petitioner filed an appeal along with an application for stay before the first respondent. But, however, the first respondent did not pass any orders and the respondents are taking steps to evict the petitioner from the schedule mentioned land. Therefore, the petitioner has come up with the present writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader.

Since the appeal as well as the stay petition filed by the petitioner are pending before the first respondent and as the first respondent did not pass orders even on the stay petition, it is appropriate to direct the first respondent to pass orders disposing of the appeal expeditiously, preferably, within a period of three months from the date of receipt of a copy of this order. Pending disposal of the appeal, the respondents are directed to maintain status quo as on today as to the possession of the schedule land.

The writ petition is accordingly disposed of. No costs.

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06.07.2005

vs

To

ampachodavaram and Project
Officer, I.T D.A Rampachodavaram E.G.District.
2 The Special Deputy Collector (Tribal Welfare) Ramachodavaram, E.G.District
3 The Special Deputy Tahsildar, Tribal Welfare Rajavommangi, Rajavommangi Mandal, E.G.District.
4 The Mandal Revenue Officer, Rajavommangi Mandal, Rajavommangi E.G.District./

5 Two CCs to the G.P for Social Welfare, High Court of A.P., Hyderabad(O.U.T).

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